

***DETAILED ACTION***

This action is responsive to the communication filed on 08/27/2010. Claims 1, 2, 4-9, 11-16, 18-22 are PENDING.

***Affidavit***

The Affidavit filed on 08/27/2010 under 37 CFR 1.131 has been considered but is ineffective to overcome the Sheinis reference.

The evidence submitted is insufficient to establish actual reduction to practice of the Burr reference. Examiner submits that there is substantial information missing in Applicant's showing of actual reduction to practice of the invention claimed in claims 1, 2, 4-9, 11-16 and 18-22 of the instant application in the United States prior to August 28, 2003.

Upon review of the 1.131 affidavit, Applicant has attempted to establish conception and reduction to practice, however the support document, Exhibit A, appears to establish reduction to practice, but fails to map the support document to Applicant's claim limitations. Applicant must give a clear explanation of the exhibits pointing out what facts are established and relied on by Applicant. *In re Borkowski*, 505 F.2d at 718-719, 184 USPQ at 33. See also *In re Harry*, 333 F.2d 920, 142 USPQ 164 (CCPA 1964). Furthermore, supporting evidence or document indicating the invention worked (i.e. test results showing the invention worked) is lacking. As such, claim rejections under 35 USC 103, Sheinis et al (US Publication No. 2005/0050548 A1) in view of Ohkami et al. (US Patent No. 5,603,027) have been maintained.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, 2, 4-9, 11-16 and 18-22** are rejected under 35 U.S.C. 103(a) as being as being unpatentable over **Sheinis et al (US Publication No. 2005/0050548 A1)** in view of **Ohkami et al. (US Patent No. 5,603,027)**.

As per claim 1, Sheinis discloses the invention substantially as claimed. Sheinis teaches a method for managing the invocation of multiple versions of a J2EE program (**paragraph [0033]**), stored on an application server (**Figure 1**), among multiple clients accessing the application server, (**Figure 1, Clients 172A-172N**) comprising: interposing a JNDI proxy (**Abstract, Figure 4, item 203, Client-side Proxy, Abstract and paragraph [0028]**) between each client (**Figure 1, Client 172A-172N**) and the application server (**Figure 1, item 176A, Application server**); associating each client with one program version; and using said proxy, directing a version associated with a particular client to said particular client upon a request by said particular client for said J2EE program (**Figure 5, paragraph [0034] and [0041]**), where

**Sheinis discloses where the results of the client requests is returned by the interception of the proxy).**

Sheinis does not explicitly teach using an *identical service name* for the invocation of multiple versions of a program.

However, Ohkami teaches using an *identical service name* for the invocation of a multiple versions of a program (**Abstract, where Ohkami discloses a system that enables calling programs to invoke multiple versions of a program using the same name, col. 3, lines 8-14).**

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporate Sheinis' teachings to the teachings of Ohkami, for the purpose of "reducing the amount of time and effort that a user expends when making a calling program use a new version of a called program." (See col. 3, lines 1-5).

**As per claim 2**, Sheinis-Ohkami teaches a method wherein associating each client with one of said versions comprises: assigning an identical a service name used by each client to access said J2EE program (**Ohkami: Figure 1c**); assigning an alias name for each version of said J2EE program (**Ohkami: Figure 1c**); and associating each service name for each client, associating said identical service name with the version of said J2EE program to be used by each of said clients (**Ohkami: Figure 1c**).

**As per claim 6**, Sheinis-Ohkami teaches a method wherein said J2EE program comprises e or more EJBs (**Sheinis: paragraphs [0033] and [0056]**).

**As per claim 5**, Sheinis-Ohkami teaches a method wherein said J2EE program comprises at least one JMS resource (**Sheinis: paragraph [0072]**).

**As per claim 8**, Sheinis-Ohkami teaches a method wherein said J2EE program comprises at least one JDBC datasource (**Sheinis: paragraphs [0010], [0013] and [0028]**).

**As per claim 7**, Sheinis-Ohkami teaches a method wherein said J2EE program is a system-oriented J2EE program (**Sheinis: paragraph [0069]**).

**As per claims 8-9 and 11-14**, claims 8-14 are substantially the same as claims 1-2 and 4-7, but in system form rather than method form. Therefore the rejection for claims 1-2 and 4-7 applies equally as well to claims 8-9 and 11-14.

**As per claim 15-21**, claims 15-16 and 18-21 are substantially the same as claims 1-2 and 4-7 but in computer program product form rather than method form. Therefore the rejection for claims 1-2 and 4-7 applies equally as well to claims 15-16 and 18-21-21.

**As per claim 22**, Sheinis-Ohkami teaches a system for managing the invocation of multiple versions of a J2EE program, stored on an application server, among multiple clients accessing the server, comprising: storing said multiple versions of said multiple versions of said J2EE program on a single application server (paragraph [0007], [0013] and Figure 1, item 176A); and selectively serving said multiple versions of said J2EE program to said clients based upon a version specified by said client (Figure 5, paragraph [0034] and [0041], where Sheinis discloses where the results of the client requests is returned by the interception of the proxy).

***Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. **Hiller et al. (U.S. Patent No. 6,658,659 B2).**

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joiya Cloud whose telephone number is 571-270-1146. The examiner can normally be reached Monday to Friday from on 7:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where

this application or proceeding is assigned is 571-273-3922. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*JMC*

**November 5, 2010**

**Art Unit 2444**

**/William C. Vaughn, Jr./**

**Supervisory Patent Examiner, Art Unit 2444**